

Notice of Allowability

Application No.

10/702,217

Examiner

EMEM STEPHEN

Applicant(s)

NUMMINEN ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The patent application filed on November 04, 2003.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Action is in response to applicant's amendment filed on January 31, 2007. Claims 1-20 are still pending in the present application.

Allowable Subject Matter

2. Claims 1-20 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Consider claim 1, the best prior art found during the examination of the present application, Lupien (U. S. Pat. No. 6,006,091) fails to disclose determining by the network whether new bit map related information is required for completing the setup procedures by the terminal. Lupien discloses sending a compatibility update request and receiving a capability update response (see fig. 1 steps 17-18, and col. 7 lines 12-50). Lupien discloses performing the setup procedures at the terminal using instructions contained in a command/information signal (col. 5 lines 45-col. 6 line 11). Lupien discloses completing the setup procedures by the terminal using further instructions contained in the command/information signal sent by the network (col. 7 lines 11-50). However, Lupien fails to disclose performing the setup procedures using instructions contained in a command/information signal while waiting for the new bit map related information from the network for completing said procedures. Lupien fails to disclose completing the setup procedures by the terminal using further instructions contained in the command/information signal sent by the network wherein said instructions are configured by the network based on a new bit map signal generated by the network.

Thandu (US Pat. 6,597,921 B2) fails to disclose determining by the network whether new bit map related information is required for completing the setup procedures by the terminal; performing the setup procedures using instructions contained in a command/information signal while waiting for the new bit map related information from the network for completing said procedures; and completing the setup procedures by the terminal using further instructions contained in the command/information signal sent by the network wherein said instructions are configured by the network based on a new bit map signal generated by the network, and no suggestion or motivation of the terminal fault corrections as claimed in the present application is provided by Thandu, therefore, this limitation, in conjunction with the other limitations recited in claim 18 is novel and unobvious in view of Lupien and further in view of Thandu, and prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

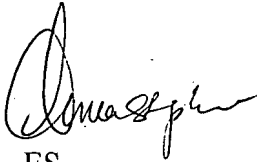
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM E. STEPHEN, whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571 272 7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



ES
10/29/2007



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SUPERVISORY PRIMARY EXAMINER